

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: OPTICAL DISK DRIVE  
PRODUCTS ANTITRUST LITIGATION

Case No. [10-md-2143-RS](#) (JSC)

This Order Relates to:

**SETTLEMENT CONFERENCE ORDER**

Direct Purchaser Class Claims and Indirect  
Purchaser Class Claims v. Phillips  
Defendants

The above matter was referred to Magistrate Judge Jacqueline Scott Corley for settlement purposes.

You are hereby notified that a Settlement Conference with the direct purchaser class and Phillips defendants and the indirect purchaser class and Phillips defendants is scheduled for **April 29, 2015 at 9:30 a.m.**, in Courtroom F, 15th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102.

1. Counsel shall ensure that whatever discovery is needed for all sides to evaluate the case for settlement purposes is completed by the date of the Settlement Conference. Counsel shall cooperate in providing discovery informally and expeditiously.

2. Plaintiffs (DPP and IPP each) shall provide Defendants with a written settlement demand on or before April 15, 2015.

3. Lead trial counsel shall appear at the Settlement Conference with the parties. Any party who is not a natural person shall be represented by the person(s) with **unlimited** authority to negotiate a settlement. An insured party shall appear with a representative of the carrier with full authority to negotiate up to the limits of coverage. A person who needs to call another person not

present before agreeing to any settlement does not have full authority.

4. Personal attendance of a party representative will rarely be excused by the Court. To seek to excuse a party from personally attending a settlement conference, counsel for that party shall meet and confer with counsel for all other parties to determine if there are any objections to the moving party's absence. Counsel must then lodge a letter with the Court, with copies to all parties, seeking to excuse the party's participation. The letter shall recite the reasons for seeking the party's absence, as well as whether the other parties agree or object to the request and the reasons for any objection. The application to excuse a party must be lodged no later than the lodging of the Settlement Conference Statement.

5. Each party shall prepare a Settlement Conference Statement, which must be emailed (not electronically filed) in .pdf format to [JSCPO@cand.uscourts.gov](mailto:JSCPO@cand.uscourts.gov) by April 27, 2015. Counsel shall also mail a hard copy to the Court.

6. The Settlement Conference Statement shall be served on opposing counsel. Any party may submit an additional confidential statement to the Court. The contents of this confidential statement will not be disclosed to the other parties.

7. The parties have discretion as to what to include in the Settlement Conference Statement; in other words, they should include whatever information they deem would be most helpful to the Court in facilitating a resolution of the case, but should at a minimum include a history of the settlement discussions.

The parties shall notify Chambers immediately at (415) 522-2172 if the claims at issue settle prior to the date set for the Settlement Conference.

**IT IS SO ORDERED.**

Dated: April 3, 2015

  
Jacqueline Scott Corley  
United States Magistrate Judge